

STATE OF VERMONT  
WINDHAM COUNTY, SS

RICHARD L. ELKINS

vs.

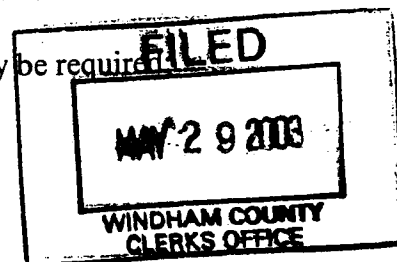
MICROSOFT CORPORATION

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) Docket No. 165-4-01 WmC  
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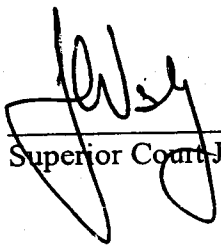
ORDER

NOW THIS 28 day of May, 2003, it is hereby ORDERED that:

1. Ronald Rodjenski is granted intervention as of right under Rule 24(a) to participate as a named plaintiff in this action.
2. The Law Offices of Potter Stewart, Jr., P.C., and Johnson & Perkinson are hereby appointed Co-Lead Counsel to the plaintiff class in this case and are directed to work cooperatively to advance the claims of the class.
3. With the approval of the Court, Co-Lead Counsel shall assume and exercise the following powers and responsibilities:
  - a. coordinate the briefing and argument of motions;
  - b. coordinate the conduct of written discovery proceedings;
  - c. coordinate the examination of witnesses in depositions;
  - d. coordinate the selection of counsel to act as spokesperson at pre-trial conferences;
  - e. call meetings of plaintiffs' counsel as they deem necessary and appropriate from time to time;
  - f. conduct all settlement negotiations with counsel for the defendants;
  - g. coordinate and direct the preparation for trial, and the trial of this matter and to delegate work responsibilities to selected counsel as may be required.



- h. receive orders, notices, correspondence and telephone calls from the Court on behalf of all plaintiffs, and to transmit copies of such orders, notices, correspondence and memoranda of such telephone calls to plaintiffs' counsel; and
  - i. supervise any other matters concerning the prosecution or resolution of this actions.
4. With respect to scheduling and/or procedural matters, defendants' Co- Lead counsel may rely upon all agreements with Co-Lead Counsel.
5. The Court requests the all parties' cooperation in bringing to its attention the pendency of other cases in state or federal court which purport to cover the same claims asserted in this action.
6. Any action which is filed and purports to cover the claims asserted in this action shall, to the extent feasible, be consolidated with this action.
7. No pleadings or other papers shall be filed or discovery conducted by any plaintiff in this action or one consolidated with it except as directed or undertaken by Co-Lead Counsel.
- SO ORDERED.

  
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Superior Court Judge

5/29/03

